

Attachment

Implementation of Steller Sea Lion Protection Measures for the 2001 Alaska Groundfish Fisheries and One-year Phase-in of the Reasonable and Prudent Alternative in the Comprehensive Biological Opinion

Existing protection measures

Steller sea lion protection measures that were established for BSAI and GOA pollock fisheries and Atka mackerel fisheries will be continued by emergency rule in 2001. While more detailed information on these measures is attached, they can be summarized as follows:

- No transit zones within 3 nm of 37 rookery sites.
- Closure within 10 or 20 nm of 37 rookeries to all trawling year-round.
- Closure to pollock fishing within 10 or 20 nm of 75 haulouts, seasonally or year-round based on use by sea lions.
- In the Bering Sea pollock fishery: (1) four seasons with harvest limits within sea lion critical habitat foraging areas; and (2) two seasons (40:60 % allocation) outside critical habitat.
- Continuation of Bering Sea fishery cooperatives established under the American Fisheries Act.
- Gulf of Alaska pollock fishery distributed over 4 seasons (30:15:30:25 % allocation).
- Closure of the Aleutian Islands to pollock fishing.
- Atka mackerel fishery measure includes a VMS requirement, continuation of two equal seasons, and restrictions on harvests in critical habitat.

Measure scheduled for implementation in 2001

Reduced 2001 critical habitat harvest limits for Atka mackerel in the Aleutian Islands are already established under existing regulations.

New measures to be implemented in 2001 based on the comprehensive biological opinion

The recent appropriations law requires publication of a rule by January 20, 2001. This emergency rule will contain new sea lion protection measures for the 2001 fishery. However, some measures would become effective later in the year, giving the Council an opportunity to make recommendations. Other new measures would be effective on January 20 in recognition of the fact that the pollock roe fisheries and the GOA Pacific cod fishery (all gears) and the BSAI trawl Pacific cod fishery typically conclude by mid March. An effective date after March 15 for measures intended to affect operations of these winter fisheries would severely undermine their intended effect in 2001.

The new measures proposed for implementation effective January 20, 2001 are as follows:

- Prohibit groundfish fishing by federally permitted vessels within 3 nm of more than 75 important haulout sites identified under established criteria.
- Establish two fishing seasons for Pacific cod, January 1 - June 10 (60% of the allocation) and June 11 - December 31 (40 %). This measure will reduce the harvest of Pacific cod in the directed trawl fisheries, which typically occur fully within the first 3 months of the year. A portion of the trawl harvest will likely be foregone or redistributed to nontrawl gear fisheries during the second half of the year.
- Reduce the allowable catch for Gulf of Alaska pollock from the Council's recommended 2001 level by 10 percent. This reduction is less than the 20 percent reduction calculated under the Global Control Rule developed under the biological opinion because it is limited by the new appropriations law (P.L. 106-554).
- Cap the 2001 Bering Sea pollock harvest in the Steller sea lion conservation area to no more than the amount authorized in the final 2000 harvest specifications. This precautionary measure would effectively require that the increase in 2001 pollock quota be harvested outside critical habitat. It caps the Bering Sea pollock harvest in critical habitat at the 2000 level until the biological opinion is fully implemented in 2002.

In addition, the emergency rule would implement the closed areas contained in the biological opinion as of June 10, 2001, for the pollock, Pacific cod, and Atka mackerel fisheries. The Council would have the opportunity to suggest modifications to these closures for the remainder of 2001 provided they meet the requirements of the

biological opinion (e.g. close at least 50% of critical habitat to the three fisheries and maximize protection of Steller sea lion pups and juveniles). Closed critical habitat areas implemented in 2002 also must provide for the statistical design of a monitoring program to evaluate the effectiveness of protection measures.

Finally, adequate tools are needed to monitor and manage critical habitat harvest limits as required under the biological opinion, particularly for the unobserved segment of the fishing fleet. For this reason, NMFS will pursue immediately the development and implementation of management measures, such as Vessel Monitoring Systems and electronic shoreside logbook reports, necessary to prepare for effective monitoring and enforcement of critical habitat harvest limits by 2002.